

COURT FILE NUMBER 2001-00425 Clerk's Stamp

COURT COURT OF QUEEN'S

BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY 50467

APPLICANT ROYAL BANK OF CANADA

RESPONDENTS MTK PROPERTIES LTD., MCARTHUR FURNITURE (ALBERTA)

LTD., EDWIN POUND and THERESA POUND

DOCUMENT SEALING ORDER

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OF PARTY

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File No. 43436-13

Attention: Jeffrey Oliver/Danielle Marechal

DATE ON WHICH ORDER WAS PRONOUNCED: May 12, 2020

LOCATION OF HEARING: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Madam Justice B.E.C.

Romaine

UPON THE APPLICATION of KPMG Inc. in its capacity as receiver and manager (in such capacity, the "Receiver") of the assets, properties and undertakings of MTK Properties Ltd. ("MTK") and McArthur Furniture (Alberta) Ltd. ("McArthur" and collectively with MTK, the "Debtors") for, among other things an order approving an auction services agreement between the Receiver and GD Auctions & Appraisals Inc. (the "Auctioneer") on terms that are substantially similar to the auction proposal submitted by the Auctioneer on May 3, 2020 pursuant to which one or more auction transactions may be completed (the "Auction Transactions"); AND UPON HAVING READ the Receivership Order granted by the Honourable Justice G.A. Campbell on February 4, 2020 (the "Receivership Order"), the Stay Order granted by the Honourable Justice G.A. Campbell on February 4, 2020; the First Report

of the Receiver dated May 8, 2020 (the "First Report"), the First Confidential Supplemental Report of the Receiver dated May 8, 2020 (the "Confidential Report") and the Affidavit of Service of Richard Kay sworn May 12, 2020; AND UPON hearing from counsel for the Receiver, and such other counsel as are present;

IT IS HEREBY ORDERED AND DECLARED THAT:

- Service of this Application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given.
- 2. Division 4 Part 6 of the Alberta Rules of Court does not apply to this Application.
- 3. The Confidential Report submitted in the within proceedings shall, until the filing of a Receiver's certificate confirming that the Auction Transactions have been completed to the satisfaction of the Receiver, or until further order of this Honourable Court, be sealed and kept confidential, to be shown only to a Justice of the Court of Queen's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Confidential Report in a sealed envelope, which shall clearly be marked "SEALED PURSUANT TO THE ORDER OF THE HON. MADAM JUSTICE B.E.C. ROMAINE DATED MAY 12, 2020".
- 4. Any party may apply to set aside paragraphs 3 or 5 of this order upon providing the Receiver and all other interest parties with five (5) days notice of such application.
- 5. This Order must be served only upon those interested parties attending or presented at the within application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
- 6. Service of this Order on any party not attending this application is hereby dispensed with.

JCOBA